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RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP: 3743

32692

Customer Number

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Patent  
Case No.: 56732US002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: MARTIN, PHILIP G.  
Application No.: 09/989965 Group Art Unit: 3743  
Filed: November 21, 2001 Examiner: Joseph F. Weiss Jr.  
Title: FILTERING FACE MASK THAT USES AN EXHALATION VALVE THAT HAS A  
MULTI-LAYERED FLEXIBLE FLAP

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF TRANSMISSION

To Fax No.: 703-872-9306

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:

January 16, 2004

Susan M. Dacko  
Signed by: Susan M. Dacko

Dear Sir:

In response to the Office Action mailed December 10, 2003, please amend this application as set forth below.

Upon review of the file, applicants noticed that copies of Forms PTO-1449, filed with the Disclosure Statements dated April 30, 2002 and February 21, 2003, were sent to applicants with the Office Action dated July 28, 2003 but were not initialed by the Examiner. Please have the Examiner initial the Forms PTO-1449, copies of which are enclosed for the Examiner's convenience, and return them to the undersigned attorney so that the record properly reflects consideration of the noted documents.

This Amendment is believed to be timely submitted and that no fee is due. In the event a fee is required, however, please charge it to Deposit Account No. 13-3723.